

REMARKS

This Amendment is submitted supplementary to the previous Amendment and in connection with the interview with the Examiner.

During the interview the new features of the present invention were explained to the Examiner and discussed with the Examiner. The Examiner indicated that in her opinion the present invention as defined in the claims still could be considered as obvious from the Hesselbart reference.

In connection with this, applicant has canceled claim 2, and amended claim 1, the broadest claim on file, so as to more clearly define the present invention and to distinguish it from the prior art.

Claim 1 defines that the rod 16 of the inventive golf training apparatus is arranged at a distance to the rack 11, and the extension 15 is provided which is connected with the rod and the rack, extends between the rod and the rack, and holds the rod at a distance to the rack.

In the patent to Hesselbart the arrangement of the mounting block 88 is the reason for a small structural distance, which is not an

extension between the rod and the rack and can not be compared with the extension 15 of the applicant's invention, which is connected with the rod and the rack, extends between the rod and the rack, and holds the rod at a distance to the rack.

The inventor's background as a golf instructor allows him to appreciate the dangers which training aids, such as disclosed in the patent to Hesselbart, bring to the golfer through the proximity with which the golfer must stand to the apparatus while swinging the golf club. One can clearly see from Figure 1 of the patent to Hesselbart how close the golfer is standing to the apparatus.

In contrast, in the applicant's invention the extension, which is the element 15, has been specifically designed to hold the rod 16 at a safe distance from the upright rack of the apparatus, for example by a distance can be 115 cm. Why for example the distance is selected to be 115 cm is because this is the maximum length of the modern golf club. This distance positions the user a safe distance from the rack, or the upright stand. Definitely, the mounting block 18 has nothing to do with providing a safe distance between the rod and the rack, and it is not comparable with the

applicant's invention, in which the special extension is located between the rod and the rack.

While reviewing the patent to Hesselbart, one also sees that the rack which is the element 22 is positioned to the side of the golfer, thus being very close to the intended swing path. Because of the structure of the elements 15 and 16 of the apparatus of the applicant's invention, it can be clearly seen that the rack and the base identified as element 12 of the applicant's invention are in front or opposite the user and therefore much farther away from the intended swing path of the golf club.

It is therefore believed that the new features of the present invention which are now defined in claim 1 clearly and patentably distinguish the present invention from the prior art, and therefore claim 1 should be considered as allowable over the patent to Hesselbart.

The Examiner's attention is also respectfully directed to the features of the dependent claims 4 and 5, as well as the second independent claim 11. These claims define the inflatable nature of the rod 16 and the extension 15, correspondingly. These features are exceptionally important. The present invention does not deal with an inflatable apparatus as a whole

as disclosed in the patent to McKinney, or an inflatable toy as a whole of the patent to Shute. The rack and the base of the inventive apparatus are rigid, and only the extension 15 and the rod 16 are inflatable, which constitutes a significant difference.

It has long been accepted in sports that "muscle memory" exists, i.e. if one does a certain physical activity often enough the muscles of the body will learn and engrain this movement, so that it may be reproduced automatically. Most golfers have developed a negative "muscle memory", whereby they "perfectly" reproduce an inadequate swing because that is their learned and engrained movement.

The extension 15 of the applicant's invention is positioned to create a clearly defined barrier or "no go" zone for the golf club during the swing. If the club swings into the "no-go" area at any time during the playing of a shot, the golfer receives a strong but harmless feedback through the club striking the inflatable extension or rod. Thus, the user can physically train a correct "muscle memory" using the invention disclosed in the present application.

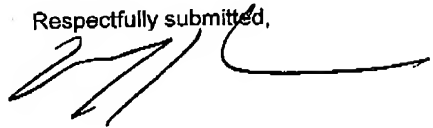
The element 78 disclosed in the patent to Hesselbart because of its rigidity does not allow this training possibility.

It is therefore believed that the new feature of the present invention which are defined in claims 4, 5 and 11 should also be considered as patentably distinguish the present invention from the prior art and should also be allowed.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,

A handwritten signature in black ink, consisting of stylized, overlapping loops and strokes, positioned below the text "Respectfully submitted,".

Michael J. Striker  
Attorney for Applicants  
Reg. No. 27233